



## **CITY OF HAYWARD AGENDA REPORT**

Planning Commission

Meeting Date 12/02/04

Agenda Item 1

**TO:** Planning Commission

**FROM:** Tim R. Koonze, Assistant Planner

**SUBJECT:** Use Permit No. PL-2004-0508 – David Gaitan (Applicant/Owner)  
Request for Outdoor Storage of Automobile and Truck Bumpers Within  
an Enclosed Storage Area

The Property Is Located at 29699 Pacific Street in the Industrial (I)  
District

### **RECOMMENDATION:**

Staff recommends that the Planning Commission find that the project is categorically exempt from environmental review and approve the Conditional Use Permit subject to the attached findings and conditions of approval.

### **DISCUSSION:**

The site is located on the northwest corner of Pacific Street and Industrial Boulevard within an established industrial area. There are two buildings on the 1.1 acre site; the applicant would occupy the larger building on the westerly portion. The property is surrounded by industrial uses except to the west where the Union Pacific railroad track separates the site from a small-lot single-family residential subdivision. The residential properties are 140 feet behind a solid masonry wall which was installed along the railroad right-of-way.

The applicant operates a bumper repair service. Automobile and truck bumpers are repaired within the building. The applicant has three trucks that pick up and deliver the bumpers to various body shops once a day. In addition, there are approximately three customers a day who drive to the site to have the bumpers from their personal vehicles repaired. Relatively speaking, the use has a low volume of traffic. The applicant indicates that outside storage is vital to the business. As bumpers are brought to the site, they would be stored outside until they are repaired and shipped back to the body shop.

The outdoor storage requires a conditional use permit. The proposed storage area, approximately 10,000 square feet, is located to the north and east of the larger building. The bumpers would be stored on racks within this area. A condition of approval would limit the height of the racks so that the stored bumpers would not exceed the height of the enclosure. Presently, the storage area is paved and enclosed with a chain-link fence with

slats. However, given the location of the property on a major thoroughfare and its visibility from BART, a recommended condition of approval requires that the chain-link fence on the east and south sides be replaced with an attractive wall that matches the building in materials and design.

The Zoning Ordinance now requires a 20-foot deep landscaped front yard area on properties abutting major industrial corridors, including Industrial Boulevard. However, the subject property was developed before this ordinance was adopted, so there is substantially less landscaping. It is not feasible to require that the applicant extend the front yard landscaping to meet this design standard as this effort would interfere with the vehicle circulation system in place. However, it is possible to create a more attractive streetscape by requiring a more expansive landscape area at the corner of the property at Pacific Street and Industrial Boulevard. This could be achieved by the elimination of two parking stalls and extending existing corner landscaping into this area. A condition of approval reflects this change. In addition, a condition of approval would require that the landscaping along the easterly storage yard fence line be enhanced with evergreen trees to visually obscure the outside storage from the passing BART trains. There would be adequate parking outside of the enclosed area to serve both buildings if these two stalls were eliminated. Generally, the landscaping throughout the site should be upgraded to conform to the landscape plan that was approved as part of the building permit.

With respect to signs, two wall signs are already in place, and there is one monument sign that identifies the users of the property. In staff's opinion, the monument sign is not attractive but could be enhanced by adding trim along the sides and a decorative cap. A condition of approval requires this improvement, subject to the approval of the Planning Director.

#### **ENVIRONMENTAL REVIEW:**

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, Class 1 Minor Alterations to Existing Facilities.

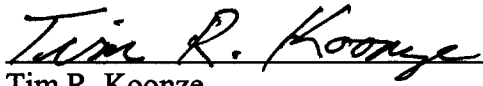
#### **PUBLIC NOTICE:**

On November 18, 2004 a Notice of Public Hearing for the Planning Commission meeting was mailed to property owners and tenants within 300 feet of the subject property and to all interested parties. To date no comments have been received as a result of that notice.

#### **CONCLUSION**

In staff's opinion, the proposed outdoor storage would be in harmony with the surrounding area as long as conditions of approval are met, including an attractive screen wall about the storage area, enhanced landscaping, and a more attractive monument sign.

*Prepared by:*



Tim R. Koonze  
Assistant Planner

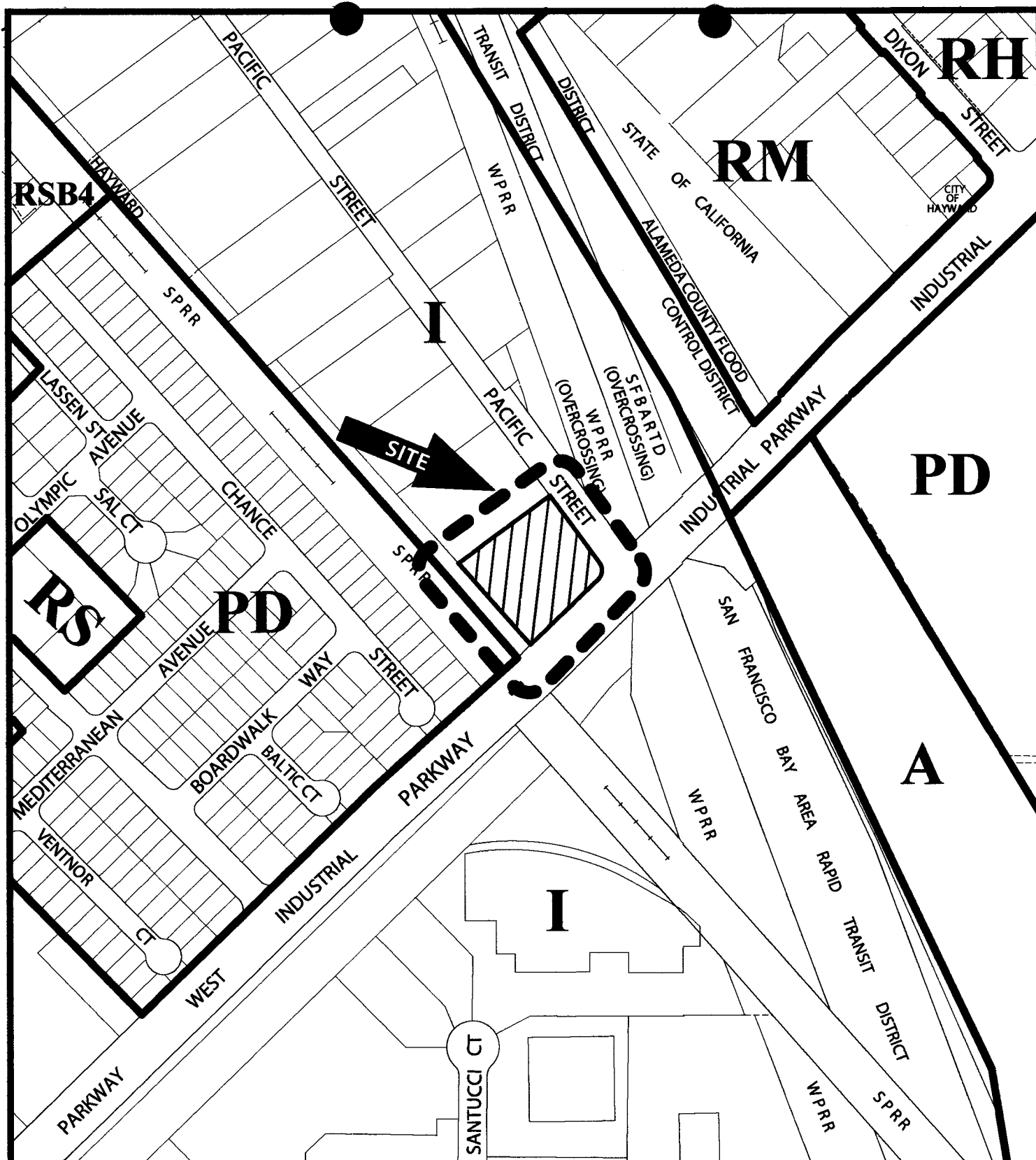
*Recommended by:*



Dyana Anderly, AICP  
Planning Manager

**Attachments:**

- A. Area Map
- B. Findings for Approval
- C. Conditions of Approval  
Plans



## Area & Zoning Map

PL-2004-0508 UP

Address: 29699 Pacific Street

Applicant: David Gaitan

Owner: David & Natalie Gaitan

A-Agricultural-ABSA,AB10A,AB100A,AB160A

I-Industrial

PD-Planned Development

RH-High Density Residential RHB 7

RM-Medium Density Residential RMB 3.5, RMB 4

RS-Single-Family Residential,RSB4,RSB6



**FINDINGS FOR APPROVAL**  
Conditional Use Permit - PL-2004-0508  
29699 Pacific Street  
David Gaitan (Applicant/Owner)

1. The proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, Class 1 Minor Alteration to Existing Facilities
2. The proposed use is desirable for the public welfare in that the use serves a need to the public and will have a minimal impact on the area as it will generate a low volume of traffic while obscuring the repair and storage operation from view.
3. The proposed use will not impair the character and integrity of the Industrial District and surrounding area in that the all operations would not be visible from the streets and the repairs and storage are conducted in a way that meets the Zoning Ordinance requirements.
4. The proposed outdoor storage will be not detrimental to the public health, safety and general welfare in that the conditions of approval would require that all repair and storage conform to the Uniform Building and Fire Codes.
5. The proposed outdoor storage area use is in harmony with applicable City policies and the intent and purpose of the zoning district involved in that the site is intended for industrial development and use and the open storage area is a conditionally permitted use in the industrial district.

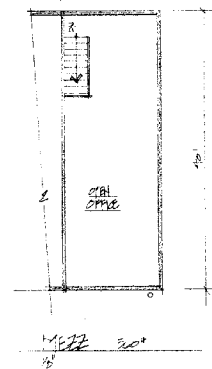
**CONDITIONS OF APPROVAL**  
Conditional Use Permit - PL-2004-0508  
29699 Pacific Street  
David Gaitan (Applicant/Owner)

1. Use Permit Application No. PL-2004-0508 is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void one year after the effective date of approval, unless prior to that time the improvements required by the conditions of have been installed, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division 15 days prior to the above date.
2. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
3. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
4. All Improvements required by the conditions of approval shall be installed with three months of approval of the use permit application.
5. The easterly and southerly chain-link fence shall be replaced with a decorative masonry wall. The wall design shall meet the approval pf the Planning Director.
6. The property owner shall maintain in good repair all fencing, landscaping and paved areas. The premises shall be kept clean and free of graffiti.
7. The landscaping throughout the site shall be restored to the landscape plan approved as part of the building permit that created the buildings on this site. The landscaping shall meet the approval of the City's Landscape Architect.
8. In addition to the previously approved landscape plan, evergreen trees shall be added along the most easterly fence that encloses the storage yard to provide a solid evergreen screen between the BART and the outdoor storage area. The size, type and location of the evergreen trees shall meet the approval of the City's Landscape Architect.
9. Evergreen vines shall be planted along the screening fence. The size, type, location and spacing of the evergreen vines shall meet the approval of the City's Landscape Architect.

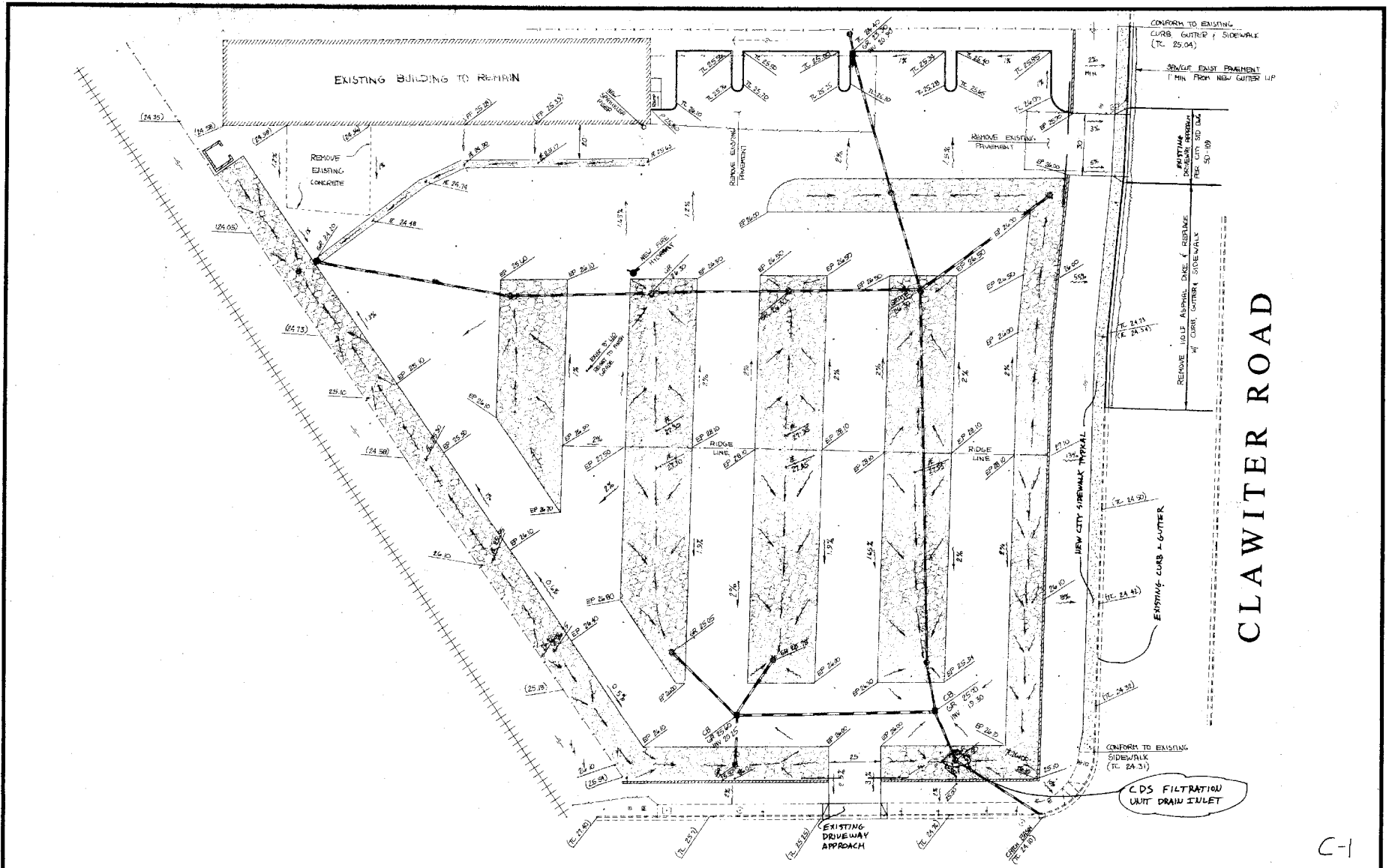
10. Enlarge the corner landscape area into the two adjacent parking stalls. The landscaping design shall meet the approval of the City's Landscape Architect.
11. Landscaping shall be maintained in a healthy, weed-free condition at all times. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within ten days of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to Municipal Code.
12. Install lighting for the storage area in accordance with the City's Security Ordinance. The design and location shall meet the approval of the Police Chief and the Planning Director.
13. The monument sign at the corner shall be modified to include a decorative cap and additional trim. The design shall meet the approval of the Planning Director.
14. Dedicated storage areas shall be either striped or cordoned off to alert employees who are working in the yard as to the proper storage perimeters and allow adequate emergency vehicle access.
15. Portable fire extinguishers shall be located throughout the storage yard in locations acceptable by the Fire Department. The fire extinguishers shall have a minimum rating of 2A:10BC or other required rating pending use of the area.
16. The business owner is required to obtain a Fire Department annual permit. Areas within the buildings shall be in compliance with the Fire Code.
17. Building permits are required for interior improvements, installation of storage racks, spray booths, ovens, and sand blast booths.
18. Fire permits are required for interior fire suppression related improvements.
19. Violation of these conditions is cause for revocation of the use permit after a public hearing before the duly authorized review body.





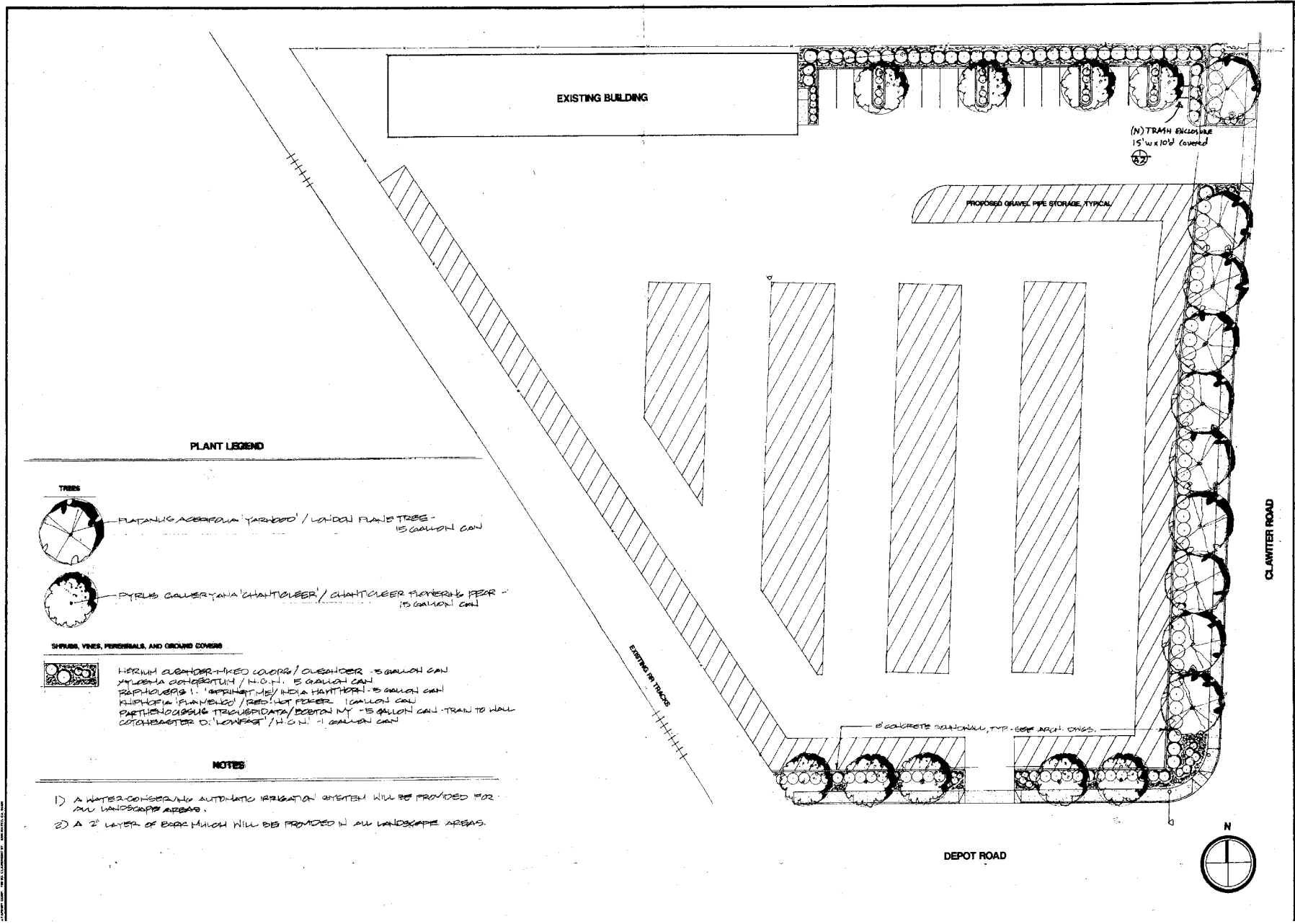
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# CLAWITER ROAD

<b>PRELIMINARY</b> <b>GRADING AND DRAINAGE PLAN</b>	<b>STATE PIPE &amp; SUPPLY INC. BUILDING</b> 24785 CLAWITER ROAD HAYWARD CALIFORNIA	JAMES E. ORRISON R.C.E. 2718 RENEWAL DATE: 08/1/08	# REVISIONS DATE	<b>D</b> DeBolt Civil Engineering 811 San Ramon Valley Boulevard Danville, California 94526 Tel: 925/837-3780 Fax: 925/837-4378	Date: Scale: By: Job No.:
			CONFORM TO EXISTING CURB, GUTTER & SIDEWALK (TC 25.04) REMOVE EXISTING DRIVEWAY REMOVE 10' ASPHALT DRIVE & REPLACE W/ CURB, INTERIOR SIDEWALK CONFORM TO EXISTING SIDEWALK (TC 24.31) CDS FILTRATION UNIT DRAIN INLET		



PLANT LEGEND

TREES



PLATONIC ACERIFOLIA 'YARBOO' / LONDON PLANE TREE - 15 GALLON CAN



PYRUS CALLERYANA 'CHANTICLEER' / CHANTICLEER FLOWERING PEAR - 15 GALLON CAN

SHRUBS, VINES, PERENNIALS, AND GROUND COVERS



HERUM OVAL-THICKED COVRS / OVERHILL - 5 GALLON CAN  
 MYRTLEA COHERENTUM / H.O.N. - 5 GALLON CAN  
 RAPIDOLVERA 1 - 'SPRINGTIME' / INDIA HANTHORN - 5 GALLON CAN  
 RHIPOLIA 'FLAMINGO' / RED HOT POKER - 1 GALLON CAN  
 PANTHOCISSUS TRICUSPIDATA / BERTAL NY - 5 GALLON CAN - TRAIL TO WALL  
 COTONEASTER D. 'LOWEST' / H.O.N. - 1 GALLON CAN

NOTES

- 1) A WATER-CONSERVING AUTOMATIC IRRIGATION SYSTEM WILL BE PROVIDED FOR ALL LANDSCAPE AREAS.
- 2) A 2" LAYER OF BARK MULCH WILL BE PROVIDED IN ALL LANDSCAPE AREAS.

DATE	10/18/04
SCALE	1"=20'-0"
DRAWN	CSH
CHECK	
SHEET	PL-1
OF	1 SHEETS

REVISIONS BY

11/18/04

WILSON & ASSOCIATES  
 LANDSCAPE ARCHITECTURE / SITE PLANNING / ASIA  
 10000 WILSON AVENUE, SUITE 100  
 BERKELEY, CALIFORNIA 94704-1000

PRELIMINARY LANDSCAPE PLAN

STATE PIPE & SUPPLY, INC. BUILDING  
 24715 CLAWITTER ROAD, HAYWARD, CA